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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,766	12/03/2003	Victor S. Chan	CA920030058US1	4216

58139 7590 10/26/2007
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EXAMINER

NALVEN, ANDREW L

ART UNIT	PAPER NUMBER
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2134

MAIL DATE	DELIVERY MODE
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10/26/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/726,766

Applicant(s)

CHAN ET AL.

Examiner

Andrew L. Nalven

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-24 are pending.

Response to Arguments

2. Applicant's arguments filed 6/20/2007 have been fully considered but they are not persuasive.

3. Applicant argues on pages 8-10 against the rejection of claims 1-16 under § 101. Examiner has dropped the rejection of claims 1-8. The rejection of claims 9-16 stands. Claims 9-16 may be interpreted as being purely software elements which may be stored in an intangible media such as a modulated carrier signal (Specification, page 7). Hence, claims 9-16 are software per se that is intangible. As a result, the claims are directed to nothing more than an abstract idea and not to an implementation to produces a useful, concrete, and tangible result.

4. Applicant argues on pages 12-13 that Win fails to teach the web site comprising a set of online stores and a set of organizations. Examiner respectfully notes that Applicant's arguments are misplaced because the prior office action clearly indicated that the Gillett reference was relied upon to teach this limitation (see Office Action, page 4). Gillett teaches the web site comprising a set of online stores and a set of organizations (Gillett, column 3 lines 28-60, online stores, column 4 lines 1-10, column 8

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lines 20-40). Gillett teaches a merchant (organization) having an online storefront (on-line store).

5. Applicant further alleges that Win Gillett fails to teach the security domain comprising a subset of organizations and the on-line stores associated with the organizations in the subset. Examiner respectfully disagrees. Gillett teaches the security domain comprising a subset of organizations and the on-line stores associated with the organizations in the subset (Gillett, column 3 lines 28-60, online stores, column 4 lines 1-10, column 8 lines 20-40) by teaching organizations (merchants) each having separate security domains because each merchant has special security control over his storefronts through encryption, decryption, and authentication. A subset of the organizations would be a single merchant.

6. Applicant further alleges that Win and Gillett fail to teach granting or denying access to a user attempting to access a portion of the web site by determining the user identity for the and determining the access role associated with the user identity for the security domain corresponding to the portion of the web site subject to the access attempt. Examiner respectfully disagrees. Win teaches granting or denying access to a user attempting to access a portion of the web site by determining the user identity for the user (Win, column 8 lines 10-16, grants access based upon the user identity, column 3 lines 1-6, denies access based on user identity, column 8 lines 36-46) and determining the access role associated with the user identity for the security domain corresponding to the portion of the web site subject to the access attempt (Win, column 6 lines 10-16) by teaching determining if a user has the correct role associated with their

user identity to access the particular portion of the website they are attempting to access. The particular portion of the website to which access is requested comprises a security domain because it has an associated security level or role requirement in order to gain access.

7. Applicant further argues that Win and Gillett fail to teach the set of organizations as a tree structure. Examiner respectfully disagrees. Gillett and Win teaches the set of organizations as a tree structure (Gillett, Figure 1, tree structure with ISP 26 as root and merchant computers 24 as leaves. Win, column 5 lines 20-32 and lines 55-56, functional groups of roles own lesser roles) by Gillett teaching merchants as leaves in an tree structure where the merchants further contain leaves as storefronts. Further, Win teaches organizations in tree structures where organizations have subgroups (Win, column 5 lines 33-35).

8. Applicant further argues that Win and Gillett fail to teach maintaining and providing look up functionality for a table comprising rows comprising data representing user identity, organization, and access role associations. Examiner respectfully disagrees. Win teaches maintaining and providing look up functionality for a table (Win, column 13 lines 50-52, database tables, column 15 lines 44-46, table of user names and user types and look up functionality provided by Registry Repository) comprising rows comprising data representing user identity, organization, and access role associations (Win, column 16 lines 46-53, record includes name, role, and privileges) by teaching database tables and a registry repository. These are both composed of rows of data that may be accessed in a look up operation. Further, data representing user

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identity, organization, and access role associations is stored by the administration application allowing the lookup and assignment of security roles (Win, column 13 lines 7-22).

9. Applicant further argues against the motivation for combination of Win and Gillett. Applicant's arguments are unpersuasive. Examiner has provided a rational motivation for the combination. It would have been obvious to a person of ordinary skill in the art to utilize Gillett's organizational design using online stores because it offers the advantage of allowing small merchants to set up online stores while having a centralized ISP provide the security and maintenance of the websites thereby diminishing the threat of misuse of information (Gillett, column 1 lines 30-62 and column 1 lines 1-15). Gillett provides ample motivation in that Gillett suggests an advantage that most merchants do not have the wherewithal to manage their websites and security and thus it is an advantage to offload those processes to an ISP. The fact that Win is not concerned with the threat of misuse of information is immaterial.

10. Applicant further argues on page 23 that Win, Gillett and Aull fail to teach computer readable program code means for providing user identities with associated access roles at user registration to a website. Examiner respectfully disagrees. Aull teaches computer readable program code means for providing user identities with associated access roles at user registration to a website (Aull, column 9 lines 6-21, registers using web server and receives role certificate). Aull teaches a user who registers and receives role certificate. A role certificate provides identity and allows the

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granting of access. Thus, Aull teaches providing user identities with associated access roles at user registration to a website.

11. Applicant further argues against the motivation to combine Aull with Win and Gillett. Examiner has provided a rational motivation for the combination. It would have been obvious to a person of ordinary skill in the art to utilize Aull's registration method because it offers the advantage of providing a method by which all parties involved may give their approval to the granting of a role to a user (Aull, column 9 lines 10-21). Aull provides further motivation for using the registration and role certificate method in that the certificate provides simple and fast methods of indicating proper approval, authority, or acceptance (Aull, column 2 lines 13-29). As a result, Aull teaches that registration is commenced and a certificate is granted if proper approval of all parties is received. Further, Aull teaches that another advantage of this method is that the certificate is a simple and fast methods of indicating proper approval, authority, or acceptance. Thus, Examiner maintains that a prima facie case of obviousness has been shown.

Claim Rejections - 35 USC § 101

12. **Claims 9-16 are rejected under 35 U.S.C. 101** because the claims are directed towards nonstatutory subject matter.

13. **With regards to claims 1-8 and 9-16**, the claimed medium (claims 1-8) and the claimed "means" is defined by the specification as being a modulated carrier signal in

certain embodiments (Specification, page 7). A signal is an intangible medium and thus the claims fail the practical application requirement of 35 USC 101 by failing to provide a use, concrete, and tangible result.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. **Claims 1-7, 9-15, and 17-23 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Win et al US Patent No. 6,453,353 in view of Gillett et al US Patent No. 6,760,711.

15. **With regards to claims 1, 9, 17**, Win teaches a computer program product, system, and method for implementing electronic commerce systems comprising a web site being accessible by one or more users (Win, column 4 lines 20-30 and 34-67, web server with components stored on physical server), the computer readable code means representing the users (Win, column 5 lines 12-15, registered users, column 4 lines 45-51), each user being associated with a unique identity in the system (Win, column 6 lines 1-10, users associated with a particular login, column 6 lines 40-45, associated with a particular username), computer readable program code means for associating a user identity with one of a set of access roles for a security domain (Win, column 5 lines

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44-54, associates each user with access rights defined by their role), the access role defining access privileges for the user corresponding to the user identity (Win, column 5 lines 44-54, associates each user with access rights defined by their role), computer readable program code means for granting or denying access to a user attempting to access a portion of the web site by determining the user identity for the user (Win, column 8 lines 10-16, grants access based upon the user identity, column 3 lines 1-6, denies access based on user identity, column 8 lines 36-46) and determining the access role associated with the user identity for the security domain corresponding to the portion of the web site subject to the access attempt (Win, column 6 lines 10-16). Win fails to teach the security domains comprising a subset of the set of organizations and the on-line stores associated with the organizations in the subset. However, Gillett teaches security domains comprising a subset of the set of organizations and the on-line stores associated with the organizations in the subset (Gillett, column 3 lines 28-60, online stores, column 4 lines 1-10, column 8 lines 20-40). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to utilize Gillett's organizational design using online stores because it offers the advantage of allowing small merchants to set up online stores while having a centralized ISP provide the security and maintenance of the websites thereby diminishing the threat of misuse of information (Gillett, column 1 lines 35-62 and column 1 lines 1-15).

16. **With regards to claims 2, 10, and 18**, Win as modified teaches carrying out the determination of the access role associated with a user identity for a security domain at

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user logon time (Win, column 6 lines 10-16, when logging in, authorized resources are determined and presented to user).

17. **With regards to claims 3, 11, and 19**, Win as modified teaches the set of access roles comprising registered customers and administrator roles (Win, column 4 lines 44-50, roles include users and administrators, column 5 lines 20-33, users include the role of customer, column 16 lines 3-12).

18. **With regards to claims 4-6, 12-14, and 20-22**, Win as modified teaches computer readable program code means operable to define the set of organizations as a tree structure (Gillett, Figure 1, tree structure with ISP 26 as root and merchant computers 24 as leaves. Win, column 5 lines 20-32 and lines 55-56, functional groups of roles own lesser roles), in which the computer readable program code means for associating a user identity with one of a set of access roles further comprises computer readable program code means for associating the user identity with the access role for a selected one of the set of organizations (Win, column 5 lines 24-29, associates users with a particular organization) and computer readable program code means for defining the security domain to include the selected organization (Win, column 5 lines 33-39) and those organizations in the set that are descendants of the selected organization (Win, column 5 lines 54-56).

19. **With regards to claims 7, 15, and 23**, Win as modified teaches computer readable program code means for maintaining and providing look up functionality for a table (Win, column 13 lines 50-52, database tables, column 15 lines 44-46, table of user names and user types and look up functionality provided by Registry Repository)

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comprising rows comprising data representing user identity, organization, and access role associations (Win, column 16 lines 46-53, record includes name, role, and privileges).

20. **Claims 8, 16, and 24 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Win et al US Patent No. 6,453,353 and Gillett et al US Patent No. 6,760,711, as applied to claims 1, 9, and 17 above, and in further view of Aull et al US Patent No. 7,028,180.

21. **With regards to claims 8, 16, and 24**, Win as modified fails to teach computer readable program code means for providing user identities with associated access roles at user registration to a website. However, Aull teaches computer readable program code means for providing user identities with associated access roles at user registration to a website (Aull, column 9 lines 6-21, registers using web server and receives role certificate). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to utilize Aull's registration method because it offers the advantage of providing a method by which all parties involved may give their approval to the granting of a role to a user (Aull, column 9 lines 10-21).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

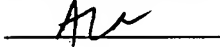
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew L. Nalven whose telephone number is 571 272 3839. The examiner can normally be reached on Monday - Thursday 8-6, Alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Zand can be reached on 571 272 3811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Andrew Nalven



KAMBIZ ZAND
SUPERVISORY PATENT EXAMINER